Ed Emmett
County Judge

El Franco Lee Commissioner, Precinct 1 Sylvia R. Garcia Commissioner, Precinct 2 Steve Radack
Commissioner, Precinct 3

Jerry Eversole
Commissioner, Precinct 4

September 24, 2010

To: County Judge Emmett and Commissioners Lee, Garcia,

Radack, and Eversole

Fm: Dick Raycraft

Re. Mid-Year Review

The reports and schedules in this book are provided for your consideration for the Mid-Year Review at 9 a.m. Tuesday, September 28, 2010. The information includes the four entities for which the court sets annual tax rates: Harris County, the Flood Control District, Port Authority, and the Hospital District.

The sections in the book are in the following sequence:

- 1. Harris County Hospital District
- 2. County Budgets
 - a. County General Fund
 - b. County Benefits
 - c. Issuance of Debt and Investments
- 3. Public Infrastructure
- 4. Institute of Forensic Sciences
- 5. Healthcare
 - a. Public Health & Env. Services
 - b. Health Care Alliance
 - c. Regional Healthcare Initiative
- 6. Law Enforcement
 - a. Sheriff's Department
 - b. Constables
 - c. Contract Patrol
 - d. Fleet Operations
 - e. Alarm Permits
- 7. Criminal Justice Coordination
 - a. Jail Reentry Initiative
 - b. Cares Program
 - c. GPS Technology

- d. Pretrial Services
- e. Jail Population
- 8. Courts
 - a. District Courts
 - b. County Courts
 - c. Justice Courts
 - d. District Clerk
 - e. District Attorney
 - f. County Attorney
 - g. Bail Bond Board Project
- 9. Juvenile Probation
- 10. Protective Services
- 11. Information Technology
- 12. Library
- 13. Fire Marshal
- 14. Elections Administrator
- 15. Tax Rates
- 16. Arts and Joint Commission
- 17. 2011 Meetings and Holidays
- 18. Population & Economic Studies

1. Hospital District

A report by the Harris County Hospital District's President/CEO is behind the Hospital District tab. Projected operating expenses for FY 2010-11 are \$1,040,996,000 with revenue of \$1,061,900,000. Ad valorem tax funding at \$504,898,000 provides approximately 48% of revenue.

The district report shows improved collection of patient revenues through implementation of a new business system that has enhanced the flow and availability of information. A goal is to convert all areas that use a paper record to an electronic medical record with physician and nursing clinical order entry and documentation.

Construction continues on strategic capital projects including the new Emergency Center for LBJ Hospital, the Holly Hall Ambulatory Center, and the LBJ Ambulatory Center.

Outpatient volume increased in the first part of this fiscal year compared to the same period last year, while inpatient admissions are below the admissions a year ago. During the first five months of the fiscal year, there were 3,106 births in district hospitals compared to 3,951 births for the same period last year, a drop of 845, or 21.4%.

Visits to the district's community health centers during the first part of this fiscal year were 303,211 compared to 283,471 visits during that same period last year, an increase of 7%. Inpatient admissions of 15,583 were below the 16,895 that were seen in the same period last year, a reduction of 7.8%.

2. County Budgets

a. County General Fund

General fund expenditures for the first six months of FY 2010-11 were approximately \$673.3 million. The original outlook was \$673.5 million. Transfers out of the fund were approximately \$2.9 million. The original outlook was \$2.1 million. Expenditures and transfers out totaled \$676.2 million for the first half of the fiscal year in the general fund compared to a total for that period last year of approximately \$709.9 million, a decrease of \$33.7 million, or 4.7%.

During the second six months of the fiscal year the projection of expenditures and transfers out is approximately \$686.7 million at current operating levels. The fiscal year total would be \$1,362.9 million. This figure compares to the original FY 2010-11 general fund outlook of \$1,368.6 million, a decrease of \$5.7 million, or .42%. The amount of \$1,362.9 million would be a reduction of \$50.7 million or 3.6% from last year's total of \$1,413.6 million in expenditures and transfers out.

As can be seen, despite the drop in expenditures compared to last year, the amount left in the general fund at year's end, with a revenue estimate of \$1,368.6 million, would be significantly under the county's goal for fund balance at fiscal year's end, and for the beginning of the new fiscal year in March 2011.

The economic downturn which began in the latter months of FY 2008-09 and continued through FY 2009-10 and into the current FY 2010-11 has had an impact on the county's general fund. Efforts to slow growth in general fund spending began with a limited hiring freeze in September 2009 and continued as a full freeze in March 2010. This effort has had an impact on reducing expenses, but more will need to be done for the final half of this fiscal year and for FY 2011-12.

The county has been able to avoid or delay deeper cost cuts that have occurred in other urban communities in the country. Instead, the county has relied on reductions through attrition, limits on discretionary spending, and other steps to get closer to break-even. A listing of changes in other urban governments in the nation is attached for reference.

The tax rates as proposed in this book show a reduction for the county to provide an increase for the Port and Flood Control debt service while keeping the total rate for the county, Flood Control, Port, and Hospital District at the same level it has been since 2007 at \$.62998. Ad valorem taxes for the county provide approximately 74% of revenue for the general fund.

As the tax material shows, the taxable value this year is \$271 billion for rate setting, a drop of \$10 billion or 3.6% compared to last year's \$281 billion. It is possible that the value could drop more.

Taxes from 1¢ assessed for the general fund is estimated to provide net revenue of \$26.2 million, with 95% of that amount collected in the first year, or \$24.9 million, and \$1.3 million or 5% in the second year. Last year the 1¢ meant \$27.2 million net revenue, a difference of \$1 million compared to this year, a decline of 3.7%.

General Fund Alternatives

• <u>Mobility funds</u> were part of the general fund through FY 2008-09. The funds are still part of the budgets of the four commissioners, but in FY 2009-10 the funds were placed in a Mobility Fund. The fund is still a part of the general fund group, but separated from the general fund itself. If these funds were still part of the general fund, revenues and ending reserves would not be the issue that it is today.

The Mobility Fund has a budget of \$216 million this fiscal year divided among the precinct budgets. A total of \$181 million remains unspent in this fund as of the end of August. Texas Senate Bill 792, adopted in 2007 (Sec. 284.001 of the Texas Transportation Code), allows the court to approve these funds for "the study, design, construction, maintenance, repair, or operation of roads, streets, highways, or other related facilities."

The general fund includes expenditures for road related expenditures which could be moved to the mobility fund or reimbursed by the mobility fund which would relieve the general fund.

The toll road study prepared in 2006 provided alternative financial futures for the system based on three tracks: County Owned and Operated, Asset Sale, and Concession Agreement. After review of the alternatives, the court chose County Owned and Operated. From that came the court's decision for allocation of an amount that would be available for the precinct budgets for mobility purposes as part of road and bridge funding sources that could help with traffic flow and emergency reserve needs.

• Other items For the balance of the fiscal year there should be continuation of the hiring and salary freeze pending reviews and recommendations; delays in major purchases until the next year; reduction of automobile allowances and use of county vehicles for commuting; removal of county vehicles that have low usage for county business and for employees involved to use instead mileage reimbursements; search for another way to have professional medical services in the county jail funded rather than the county's general fund as expenses have grown from \$22 million in 2007 to an estimated \$59 million in 2010; and review the cost of radios in the county network that are provided to outside organizations as the rates charged have not been changed and the county's actual cost of providing goods and services should be recovered.

Additional recommendations will be provided.

Budget Process

Because of the difficulties faced by departments the budget process for the last part of FY 2010-11 and for next year, FY 2011-12, should begin in October 2010.

Management Services will review with the departments the county's funding outlook situation and listen to and review with them their concerns in connection with frozen salaries and positions. Recommendations for court can be prepared with the departments where possible this fiscal year and in preparation for the new fiscal year. Recommendations that need the court's attention or action regarding any of the departmental concerns will be provided.

In this process, position budget controls will be reviewed with the Auditor and the departments. Open and unfunded positions will be reviewed with the departments. Sufficient funds must be allocated by position to cover actual labor and benefits. A standard benefit rate to apply to all grant and general fund payroll will be developed.

The budget process will identify departments that as models could begin during the latter part of this fiscal year or in the next fiscal year with a management plan where the department head would stay within a target budget level but with the ability to make certain personnel adjustments as may be necessary.

Most departments have made cost effective decisions to reduce expenses during this time of restraint. This effort should be continued. The budget process should assist the departments over time to do more with less while meeting public service standards.

b. County Benefits

The mid-year review of county healthcare and related benefits is attached. The health plan remains fully funded. The director said that the immediate and short-term impact of national health care reform is uncertain, but an important requirement will be expansion of coverage for adult children to age 26 effective March 1, 2011.

The director said renewal of the medical plan effective March 1, 2011 will be on an agenda in October along with award of dental, vision, and long-term disability benefits. Employees will have the same benefits for next year at the same premium cost. Reserves are sufficient to absorb the risk from potentially higher costs, and the Office of Human Resources & Risk Management will continue monitoring costs throughout the year.

For renewal of the Retirement System plan, the director said a communication must go to the state by December 15, 2010. The director will prepare a detailed brief for the court to consider whether it would want to lower the employee deposit rate from 7% to 6%.

The director said he recommends approval of a tax savings deduction for health insurance premiums for retired public safety officers.

c. Issuance of Debt and Investments

The court on August 24 referred a proposal for adoption of revised policies and procedures regarding issuance and administration of public indebtedness and reporting on investments.

Considering the questions and referral, the following recommendations are provided for the court.

- 1. Investments are to be made under a system of competitive bidding.
- 2. Reports regarding investments must identify the brokerage firm that transacted each trade, and specify any trade that was not made through the competitive bid process and the reason for the deviation.
- 3. Selection of special counsel to advise the county on issuance or administration of public indebtedness must be made by the County Attorney's Office and approved by Commissioners Court.

- 4. Terms of engagement of special counsel to advise the county on issuance or administration of public indebtedness must be made by the County Attorney's Office and approved by Commissioners Court.
- 5. Review by the County Attorney's Office and approval by Commissioners Court are required for waiver of any conflicts of interest or potential conflicts of interest involving special counsel.
- 6. Travel at county expense in connection with issuance or administration of public indebtedness, whether by a county employee or an outside vendor, must comply with provisions of the Harris County Travel Policy.
- 7. Bills submitted by retained special counsel for issuance or administration of public indebtedness must be submitted to the County Attorney's Office for review and approval before submission to the County Auditor.
- 8. Engagement agreements with special counsel or other professionals retained to advise Harris County on investments or issuance of public securities must include the following provisions.
 - a. Adherence to the county Travel Policy.
 - b. Adherence to the county conflicts of interest policy.
 - c. Provision of sufficient detail in the content of bills for professional services to determine the extent of work done and expenses incurred, including documentation if requested.
 - d. Retention of all records on work done and expenses incurred for a period of five years after the work is completed.
 - e. Provision of access for the County Auditor to audit books and records in connection with the above listed items.

3. Public Infrastructure

PID's report, behind the PID tab, expresses concern for the need to fill certain job openings to maintain levels of service. Efforts have been made to reduce and control costs and stay within budgeted amounts in the department's seven divisions.

Additional capital improvement funds will be provided this fall to the **Flood Control District** for projects that were presented to the court at the CIP meeting in June 2010. The district director said the district is currently understaffed for optimal production of projects, but is evaluating other "project management models" in light of economic conditions. The director said it would be "very advantageous" for the district to have the ability to produce capital projects more rapidly "due to the current favorable construction market."

The **Toll Road** director is seeking positions for the systems incident management and roadway assistance program. He is also asking for personnel for a new EZ tag store, and peace officers to patrol the new northeast section of the Sam Houston Tollway which is expected to open in the March-April period of 2011.

It is recommended that Management Services review with the director of PID and directors of the Toll Road and Flood Control concerning the positions needed for their functions and for recommendations to be prepared for the court to consider.

It is also recommended that Management Services work with PID and the commissioners' precincts on more extensive, expansive use of the mobility funds that are budgeted in precinct budgets.

Building projects that are addressed by PID include replacement of a boiler at the **1307 Baker Street Jail**, and furniture and voice and data equipment for completion of the **1910 Courthouse** renovation project, and necessary funding for various projects PID had identified as priorities at the CIP session in June 2010.

Other projects noted by PID include the **Election Warehouse** that must be replaced because of fire damage; demolition of the **Iron Mountain Warehouse** in the detention zone on Baker Street and construction of the **North Bayou Central Plant**; development of construction documents and build-out of the 13th floor of the Criminal Justice Center for the **Public Defender Office**; expansion of the **Sheriff's inmate processing** capabilities on the first floor of the **CJC**, and elevator expansion in that facility.

Projects that are near completion are the **1910 Courthouse** renovation expected to be completed in the period of April-June 2011 with an opening in August 2011; the **John Phelps Courthouse** expected to be finished with an opening in October 2010; the **Plaza/Jury Assembly** facility expected to open March-April 2011.

PID is requesting authorization to obtain two contract programmers to complete design and implementation of the **CAMS** initiative including an electronic filing interface system. The Permits section would evaluate permit pricing to increase revenues using on-line permitting.

PID received a written request from the City of Houston on the status of the county's closed **Juvenile Probation** facility at 3540 W. Dallas. PID is requesting that the matter be referred to the County Attorney for an opinion.

4. Institute of Forensic Sciences

Public Infrastructure, as addressed in its MYR report, is developing plans for an interim location near the Medical Center for a DNA laboratory for county and City of Houston cases. This proposal will be placed on the court's agenda in October 2010.

Also to be presented by PID for the court's approval when ready will be a time and cost schedule for a permanent location and facility for the Institute of Forensic Sciences for all its functions, including the DNA and other labs.

Management Services is preparing a DNA cost model for an agreement with the City of Houston for cases in the interim lab and for use in connection with a permanent IFS facility.

Equipment and added personnel requested by the director of IFS is under review.

The director has requested assistance of Management Services to develop an implementation plan for transition of the Sheriff's Firearms Identification Laboratory to the Institute of Forensic Sciences.

5. Healthcare

a. Public Health & Environmental Services

The court in a policy issue adopted in March 2010 said that a study should be performed to consider and recommend changes that could be made to strengthen the county's pollution control effort during the first decades of the 21st century. The study is to be returned to Commissioners Court with recommendations. Representatives of the five court members, the County and District Attorneys, Public Infrastructure, and Public Health & Environmental Services were to participate.

It is proposed that study and reviews be conducted between October 2010 and January 2011 and a presentation to court be made as part of the budget process for FY 2011-12.

Among options that should be considered are the following:

- Maintain the Public Health & Environmental Services Department without change in the pollution control function.
- Establish the pollution control function as a separate division of Public Health & Environmental Services, removing it from the Environmental Public Health Division of PHES
- Remove pollution control from PHES and provide a separate Pollution Control Department for county government.

b. Healthcare Alliance

The Board of Directors of the Harris County Healthcare Alliance has requested that it be allowed to continue its affiliation arrangement with Harris County. The court at its June 16, 2010 meeting referred for review a letter from the Alliance director concerning its future relationship with the county. The letter from the board, received September 13, 2010, said "after serious review" that the current affiliation arrangement should be continued.

The Alliance began as a non-profit organization in 2006 to foster collaboration and coordination among public and private healthcare providers to seek expansion of resources and access to services for uninsured residents.

The letter from the board said collaboration of public and private providers becomes even more important in the future because of provisions of federal health reform.

If the court agrees that the support and affiliation should continue, the letter should be referred to Management Services for preparation of an agenda item that would provide a new agreement after negotiations with the Alliance can be completed.

c. Regional Healthcare Initiative

Two representatives of the Greater Houston Partnership have requested that the county participate in formation of a group that would be assigned the task of developing a plan for a regional healthcare system.

Dan Wolterman, of the GHP Healthcare Policy Advisory Committee and President & CEO of Memorial Hermann Healthcare System, and Jim Edmonds, of the GHP Board and Chair of the Port of Houston Authority, have requested that the county begin the process of forming the development group.

If the court agrees, a formal request will be prepared and placed on the court's regular agenda for consideration.

6. Law Enforcement

a. Sheriff's Department

A report from the Sheriff's Department that provides a mid-year update on operations is behind the Law Enforcement tab. The department is asking for 96 positions to be funded, including 40 deputies for patrol and investigations, 18 sergeants for detention, a chief deputy, two majors, three detention officers, an investigator, a systems manager, food services director, three administrative assistants, seven clerks, 18 nurses, and a pharmacy director.

The report addresses efforts at cost savings, particularly reduction of overtime and plans to make greater use of contracted inmate beds in Louisiana rather than Texas because of lower costs.

The director of the Jail Health Services Division has listed various savings that have occurred and that continue to be analyzed, such as in professional services and pharmaceuticals.

Enhancements to the on-site inpatient operation in the jail for mental health services will allow a special contract with the Harris County Psychiatric Clinic for continual use of 24 beds to be terminated. Including operating expense, security and transportation at HCPC on an annual basis the potential savings for the jail program would be approximately \$4 million.

The County Attorney's Office will be asked to prepare notice to HCPC for termination of the contract.

Management Services will work with the Sheriff's Department to prepare a plan for consideration for staff in the Medical Services Division. Other requests of the Sheriff's Department will be reviewed in separate reports.

A report concerning contract jail beds and county jail beds is included in the attachments.

Another report concerns the Sheriff's effort of developing an operational plan for use of electronic monitoring for certain inmates who could be released from jail.

City and IPC

The City of Houston has expressed interest in working with the county on beginning the process of transferring certain Class C inmates to the county in anticipation of planning for an Inmate Processing Center/Reentry Project. If the court directs, the subject could be negotiated as to city payments to the county and a timetable.

b. Constables

Requests from constables for positions and additional funds will be reviewed with them, including a report of the Law Enforcement Technology Committee regarding electronic citations.

c. Contract Patrol

A report regarding the status of the contract patrol program is provided in the attachments. At this time there are 896 officers in the program, 638 or 71% assigned by Constables, and 258, or 29%, provided by the Sheriff's Department. The number last year was 895 with 641 in Constable offices and 254 in the Sheriff's Department.

The annual adjustment proposed for patrol rates for the contracts beginning January 1, 2011 is on the court's regular agenda for September 28, 2010. A copy is attached in this book. The increase would be 4.4%, 1.4% for employee salary step increases and higher vehicle and equipment costs, and the remaining 3% is for the annual recovery of the county's direct and indirect cost that the court agreed to assess beginning last year at the 2009 Mid Year Review.

An update of the field operations staffing report is also included.

d. Fleet Operations

A report from the Purchasing Agent prepared by Mercury Associates, Inc., provides an assessment of options for law enforcement fleet activities. The report recommends that preparation of new vehicles for service should be centralized in the Office of Fleet Services and ITC should be responsible for installation of radios and computers in law enforcement vehicles.

The Sheriff's Department prepares its own vehicles for service and installs radios, computers and other electronic equipment in department vehicles and repairs equipment as necessary.

Constables receive the majority of services from Fleet Services and ITC. Various precincts provide their own installation of graphics and contract for installation of computers and video cameras.

The report said fleet management could be improved for the county if Fleet Services has all new law enforcement vehicles delivered from car dealers fully outfitted and ready for service. By centralizing and outsourcing, the report said, the county would save money.

In addition the report recommends that body shop services be under the management of Fleet Services, a satellite radio shop in the northwest area should be managed by ITC to enhance service levels, and repair of all electrical equipment should be under the management of Fleet Services and ITC.

A response from the Sheriff's Department to the Mercury report is attached. The department said law enforcement management and oversight of its fleet provides the quality assurance necessary for its vehicles that are under stress and have high performance demands placed on them. Officer safety is a primary concern. The department disagrees with various findings and numbers cited in the Mercury report. The cover memo to the department's response said that the Sheriff's Department is committed to work with Purchasing to find alternatives for reducing the cost of operations, "but we do not support some of the recommendations of the report."

e. Alarm Permits

Another attachment under Law Enforcement is a report concerning alarm permit fees and proposed changes for review. The program is administered by the Sheriff's Department.

7. Criminal Justice Coordination Council

The office of Criminal Justice Coordination has submitted the following recommendations. The report is behind the CJ tab.

- a. <u>Jail Reentry Initiative</u> Harris County should support planning and development of a comprehensive reentry pilot program for appropriate inmates exiting the Harris County Jail using national standards and best practices.
- b. <u>Cares Program</u> A study should be made to determine the clerical resources required for expansion of the Community Alliance for Responsibility, Empowerment and Safety (CARES) program which the Sheriff began on April 5, 2010. The program allows eligible inmates to receive three days credit for each day served in jail if they have enrolled in the Inmate Education Program or are classified as outside workers. The next phase will include inside workers. Through August, 339 inmates have received 3-for-1 credit.
- c. **GPS Technology** The county should support an effort to provide electronic monitoring of certain inmates and pre-trial defendants. A workgroup of members of the criminal justice community have an analysis of this subject under review. A business and operational plan will be developed for consideration.

d. <u>Pretrial Services</u> The basic mission of the Pretrial Services Agency is to provide information to the courts that supports pretrial release and detention processes. On average, the agency interviews approximately 85% of persons arrested and booked into the county jail.

In 1994 the courts began directing the agency to supervise certain defendants on financial bonds. Called "courtesy supervision," the volume of defendants under this program increased from 239 felony defendants in 1995 to 2,989 in 2009, and from eight misdemeanor defendants in 1995 to 2,272 in 2009. There were 4,125 drug screens administered in 2009 through the Pretrial Services Agency for those on financial bonds.

A study by The Justice Management Institute given to the court in June 2009, and which provided the findings which led to creation of the Criminal Justice Coordination Council in July 2009, said in its report that priority should be given to the Pretrial agency on supervision of defendants released on personal bond, and that the practice of having agency staff supervise persons released on surety bond ("courtesy supervision") should be phased out. Rather, oversight of released defendants who are mentally ill should involve supervision by a team of Pretrial Services, Community Supervision, and MHMRA to facilitate continuity of services and transition to post-supervision living arrangements.

In an August 2010 opinion, the County Attorney's Office said Pretrial Services may only work on matters related to personal bonds, and there is no statutory basis for the agency to work on matters not related to personal bonds, nor on a hybrid form of personal and financial bond.

e. <u>Jail Population</u> Another section of the Criminal Justice Coordination report on jail population shows that since the first meeting of the Council in August 2009 the average daily population of persons in custody of the Sheriff has declined by 9%, from 11,295 to 10,256. An analysis by the Administrative Office of the District Courts that is included in the attachments indicates a policy change by the District Attorney concerning trace drug cases, effectively state jail felony cases for possession of controlled substances (PCS), has had an impact on jail population. From the first six months of 2009 to the first six months of 2010, the number of PCS filings decreased by 47%, and the number of disposed cases for that offense decreased by 42%.

A collaborative effort is underway as part of the Council's programs to report more detail related to jail population. Electronic reports are being prepared to replace jail population reports that have been used in the past. The new detailed information, for example, could be used to target populations for programs designed to reduce jail population and recidivism, and identify inmates who might require needs assessments for reentry program planning and community resources that may be needed for reintegration into society.

8. Courts

- a. <u>District Courts</u> The District Courts Administrator has presented the following items of concern.
 - 1. Authorization is requested to fill a vacancy in the position of associate judge in the 312th Family District Court.
 - 2. Funding is requested for the Felony Mental Health Court. A letter from Judge Jan Krocker, 184th District Court, is attached for reference. The Judges of the Criminal Trial Division designated Judge Krocker to administer the court.
 - 3. A letter from the Courts Administrator addresses steps that are underway by the Judges of the Criminal Trial Division to control increasing costs of indigent defense.
- b. <u>County Courts</u> A report from the Court Manager for the County Civil and Criminal Courts and the Justices of the Peace is also behind the Courts tab.

The report addresses mental health initiatives this fiscal year for restoration of certain persons adjudicated incompetent in the county courts. MHMRA contracted with IntraCare Hospital for a 20-bed restoration unit for use in a pilot project. The local program has so far proved to be efficient as a model with reduced average days of stay and a higher percentage of competency restoration at a lower cost when compared to Rusk State Hospital for similar cases.

Another mental health initiative has been the use of a Mental Health Specialist in selected cases to see if there could be better outcomes for defendants while being cost effective. The specialist would be a social worker/licensed professional counselor to assist legal counsel in obtaining records and preparing social histories of mental health defendants.

c. <u>Justice Courts</u> In Justice Courts it is projected there will be a decline in case filings in traffic cases, and an increase in truancy cases. Eviction cases are expected to remain relatively flat as are criminal case filings. Justice court suits are projected to decline as are small claims cases. Bad check cases have declined by more than 70% over the last eight years because of electronic banking and are expected to decline again in 2010.

Improvements in collections in the justice courts have kept JP revenue constant despite a decline in filings.

d. <u>District Clerk</u> The Clerk said when the new Jury Room is available, which is expected to open in March-April 2011, his department will need additional employees because the facility will be divided into four individual rooms, each requiring staff, compared to the large single room in the current facility.

The Clerk suggests that jury efficiency in the new building could be increased by changing jury calls for prospective jurors. The maximum for morning call could be 500 in two rooms, and the other two rooms could be used for an afternoon call of 500. Staggered dockets would be necessary.

A study with the Judges and the District Clerk should be done to help prepare for the new jury facility.

Other analyses should involve jury meal expense and equipment and software upgrades for the jury system.

A special review is needed with the Clerk regarding the requirements for qualified courtroom clerks and pay inequities that have developed over the years in relation to other positions in the justice system.

- e. <u>District Attorney</u> Top priorities at this time for the District Attorney include pay adjustments for 31 trial prosecutors and 13 new positions: seven attorneys, a caseworker, a fraud examiner, two investigators, a paralegal, and an administrative assistant.
- f. <u>County Attorney</u> The County Attorney is requesting a new assistant county attorney position and authorization to unfreeze seven vacant positions for the Protective Services and Real Property Divisions. The request is behind the Attorney tab.
- g. **Bail Bond Board** A report concerning the Bail Bond Board Project is attached for review and recommendation.

9. Juvenile Probation

The director is requesting 16 juvenile supervision positions and for consideration of other position changes.

10. Protective Services for Children & Adults

The director is requesting four case managers and a supervisor and to pay them from the Juvenile Case Manager Fund.

A report on wards in the Guardianship Program who have no financial resources or external benefits is included behind the PSCA tab.

11. Information Technology

The director has provided the court a mid-year plan for his department that is behind the IT tab. Also included is a technology funding request and procurement policy.

Also in the attachments is a report of proposed radio fee changes.

The chair of the Justice Executive Board has requested that ITC be allowed to fill the director position for the Justice Information Management System.

12. Library

A review of Library fines and fees is provided behind the Library tab.

The director is seeking \$970,000 for furnishings and technology for the Evelyn Meador Branch in Seabrook. The branch, in Precinct 2, is scheduled to be completed February 15, 2011 and to open in April 2011.

13. Fire Marshal

A mid-year report from the Fire Marshal is behind the Fire Marshal tab. The report reviews position and policy needs and includes an analysis of the department's concerns for the future considering the growth that continues to occur in the county's unincorporated area.

14. Elections Administrator

The report requested by the court on creation of an Elections Administrator along with accompanying schedules and exhibits are behind the Elections tab. The report addresses the possible creation of the office and personnel and equipment transfers that would be needed from divisions of the County Clerk and the Tax Assessor-Collector.

There are 77 counties in Texas that have county election administrators appointed pursuant to the Texas Election Code provision effective January 1986. Of the state's 11 most populous counties, nine have election administrators. Harris and Travis are the two without that position.

The study, as shown in the attached material, analyzed seven of the most populated counties with election administrators for information for this report. The counties were Dallas, Tarrant, Bexar, Collin, El Paso, Fort Bend, and Montgomery. The interviews and data gathered shows the adopted single administrative system has provided efficiencies and reduction in redundancies compared to the dual systems of the past.

Commissioners Court creates the position of county elections administrator (CEA) by a written order that states the date for establishment of the office. The order would also create the County Election Commission which would be composed of the County Judge, as chair; the County Clerk, as vice-chair; the County Tax Assessor-Collector, as secretary; and the County Chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the CEA appointment is made.

The Elections Commission appoints the CEA. It would also act upon resignation of the CEA; terminate the CEA's employment; and appoint a replacement to fill a vacancy in the office. Termination of employment of the CEA would require approval of Commissioners Court.

Commissioners Court would determine the number of employees, equipment, office space, facilities, and operating expenses for the office. Expenses must not be less than the total amount appropriated to the County Clerk and Tax Assessor-Collector for the functions assigned to the CEA.

Commissioners Court by written order may abolish the CEA position at any time, after which the Tax Assessor-Collector is the voter registrar, and the duties and functions of the County Clerk that were performed by the CEA revert to the County Clerk, unless a transfer of duties and functions occurs under Sections 12.031 or 31.071 of the Election Code. Section 12.031 states that Commissioners Court by written order may designate the County Clerk as voter registrar for the county if the County Clerk and County Tax Assessor-Collector agree to the designation. Section 31.071 provides that Commissioners Court by written order may transfer to the Tax Assessor-Collector the duties and functions of the County Clerk in connection with the conduct of elections if both officers agree to the transfer.

Options

The report outlines three options for the court.

- a. Create the County Election Administrator position and establish the effective date, and create the County Elections Commission.
 - If the court desires to create the CEA position, the County Attorney should be requested to prepare the necessary order for court approval.
- b. Another option would be to provide for no change at this time, leaving the current functions in the respective offices of County Clerk and Tax Assessor-Collector.
- c. A third option would be to seek certain efficiencies in operations of the existing arrangement by requesting the two officers, County Clerk and Tax Assessor-Collector, to combine parts of their respective functions into a jointly administered operation, such as combining IT sections into one, or providing a central office for receiving and responding to voter-related questions from the public.

15. Tax Rates

The tax rate material is behind the Tax Rates tab. The following table provides the total of \$.62998 for the County, Flood Control, Port, and Hospital District, which is the same total since 2007.

						2010 2009
					Proposed	Up
	2006	2007	2008	2009	<u>2010</u>	(Down)
County Gen.	.34221	.33221	.33221	.33221	.33221	
Pub. Imp. Cont.	<u>.00000</u>	<u>.00697</u>	<u>.00594</u>	.00180	<u>.00180</u>	
Subtotal	.34221	.33918	.33815	<u>.33401</u>	<u>.33401</u>	
Debt Service	.06018	.05321	.05108	.05823	<u>.05404</u>	
County	.40239	.39239	.38923	.39224	<u>.38805</u>	<u>(.00419)</u>
FCD O&M	.02733	.02754	.02754	.02754	.02727	
FCD Debt	.00508	.00352	.00332	.00168	<u>.00196</u>	
FCD	.03241	<u>.03106</u>	.03086	<u>.02922</u>	.02923	<u>.00001</u>
<u>Port</u>	.01302	<u>.01437</u>	.01773	<u>.01636</u>	<u>.02054</u>	<u>.00418</u>
<u>HCHD</u>	<u>.19216</u>	<u>.19216</u>	<u>.19216</u>	<u>.19216</u>	<u>.19216</u>	<u>.00000</u>
<u>Total</u>	<u>.63998</u>	<u>.62998</u>	<u>.62998</u>	<u>.62998</u>	<u>.62998</u>	<u>.00000</u>
Operations	<u>.56170</u>	<u>.55888</u>	<u>.55785</u>	<u>.55371</u>	<u>.55344</u>	(.00027)
Debt	<u>.07828</u>	<u>.07110</u>	.07213	<u>.07627</u>	<u>.07654</u>	.00027
Total	<u>.63998</u>	<u>.62998</u>	<u>.62998</u>	<u>.62998</u>	<u>.62998</u>	<u>.00000</u>

The table was prepared with the assumption the court would want to keep the total for the four entities at the same level of \$.62998.

If the court agrees, a hearing will be required on the Port rate increase on October 12 and a second hearing on October 19 with a final vote on October 26. If the court desires, the total schedule for all four entities can be on the agenda for each hearing and final adoption of the rates for all four would be on October 26.

16. Arts and Joint Commission

a. Arts Council dba Houston Arts Alliance

The court has referred a proposed agreement with the Arts Council dba Houston Arts Alliance. The agreement would require the county to pay \$75,000 "per annum," and that payments for subsequent years "shall be made on or before March 1 of each subsequent year (if any)."

The court referred the agreement as proposed because no funds were budgeted for that purpose this fiscal year.

The following are suggested for court consideration.

- 1. Reduce the amount from \$75,000 to \$48,000 for one year beginning November 1, 2010. Continuation of an agreement effective November 1, 2011 could be reviewed as part of the FY 2011-12 budget sessions.
- 2. A new contract should stipulate that county funds would be used only for programs at Harris County parks, libraries, or with departments of the county's Youth & Family Services.
- 3. Once the agreement is adopted by court, aides of the five court members should be asked to develop a schedule with the Council and the county departments listed above for use of the county funds.

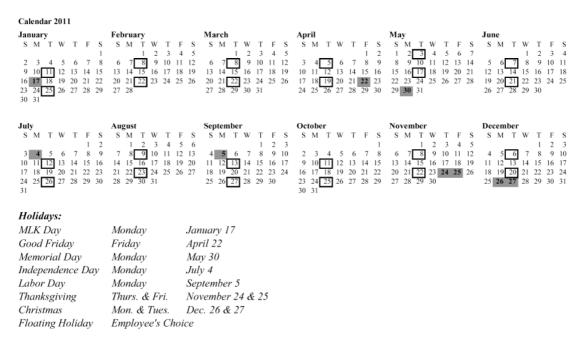
b. Joint City-County Commission on Children

The court approved an extension of contract with the City of Houston for support of the Joint City-County Commission on Children. The contract now expires November 14, 2010 rather than August 15, 2010. A requested report on the commission will be placed on the court's agenda.

17. 2011 Meetings and Holidays

The following calendar is suggested for the court's schedule of meetings and county holidays for 2011. The schedule provides 24 court meetings which is the same number as in other years since 2005.

24 Meetings



18. Population & Economic Studies